

**Notice of Allowability**

Application No.

10/091,201

Examiner

Saeed T Chaudhry

Applicant(s)

TABANI ET AL.

Art Unit

1746

*Handwritten signature*

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendments and remarks filed February 25, 2004.
2. ☒ The allowed claim(s) is/are 35-77 and 94-121.
3. ☒ The drawings filed on 15 April 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

***NOTICE OF ALLOWABILITY (PTOL 37)***  
***PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED***  
***IN THIS APPLICATION***

Revocation of old power attorney and new power of attorney has been acknowledged by the examiner and has been placed in the application.

**Examiner's amendments**

An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

In claim 35, at line 1, "the" at first occurrence has been deleted.

In claim 65, at line 1, "the" at first occurrence has been deleted.

Authorization for this Examiner's Amendment was given in a telephone interview with Mr. Dennis R. Daley on March 9, 2004.

**Reasons for allowance**

The following is an Examiner's Statement of Reasons for Allowance:

None of the prior art discloses or suggests a process of removing contaminants from the pores, lumens and under the cap regions of a hemodialyzer by pressurizing a cleaning solution from the dialysate side of the dialyzer and passing a gas under pressure into the lumen side of the dialyzer so as to form a two phase flow mixture with the back-flushed cleaning solution that produces droplets which create shear or impact stress on the lumen walls of the hollow fibers or passing a mixture of gas-liquid through the lumen side of the dialyzer..

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The closest cited prior art kopp et al (EP-0289523) disclose to clean filter having elastic, porous hollow fibers with a tubular shell by closing the lumen outlet port 16 and introducing pressurizing clarified liquid into the lumen through the lumen inlet port 18 to stretch substantially all of the pores and to wash them with at least the total volume of clarified liquid and passing a compressed gas to flow through the pores of the lumen into the shell side to dislodge particles from the fibers into the shell side in contrast present invention is concerned to pass gas under pressure or mixture of liquid-gas through the lumen side which create in situ by pressurizing a liquid cleaning solution on the dialysate side so that the liquid cleaning solution infiltrates into the lumen side and combines with a gas flowing through the lumen side.

Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saeed T. Chaudhry whose telephone number is (571) 272-1298. The examiner can normally be reached on Monday-Friday from 9:30 A.M. to 4:00 P.M.***

***If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Randy Gulakowski, can be reached on (571)-272-1302. The fax phone number for non-final is (703)-872-9306.***


***When filing a FAX in Gp 1700, please indicate in the Header (upper right) "Official" for papers that are to be entered into the file, and "Unofficial" for draft documents and other communication with the PTO that are for entry into the file of the application. This will expedite processing of your papers.***

***Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-1700.***

**Saeed T. Chaudhry**

**Patent Examiner**

**March 9, 2004**

  
**FRANKIE L. STINSON**  
**PRIMARY EXAMINER**  
**GROUP 3400-1700**